

February 16, 2011

NJDEP Air Quality Permitting Transformation

Summary of Topics discussed during February 11, 2011 Meeting (Comments from External Stakeholders are included)

1. Public Health Protection:

- (a) There is a need for the Department to make emission data available in a form readily understandable by the public.
- (b) There should be a community-wide cumulative impact analysis, including minor sources.
- (c) The Department should make effort to identify facilities and emission points without permits, particularly in Environmental Justice areas.
- (d) The Department should review the current applicability threshold and revise it based upon latest scientific information.
- (e) The Department should not wait for federal development of a cumulative impact programs, but should initiate its own effort to do so.
- (f) The cumulative risk analysis and health risk assessment should be performed independent of the individual permit review process (decoupled).

2. Permit Structure:

- (a) New Jersey needs to look at other states' permit format for improvements to its own and make the permits more user friendly and easy to understand by public and industry.
- (b) Consider streamlining permits by only including the most stringent requirements.
- (c) Monitoring and recordkeeping requirements should be simplified. Duplicative or redundant monitoring should be eliminated. Level of monitoring should be proportioned to history of enforcement compliance. Monitoring not specified in rule should not be specified in the permit.

While revisiting permit requirements for minor sources, include critical requirements for environmental quality without overburdening the recordkeeping and monitoring requirements.

Identify facilities in good standing. Provide incentives to facilities with a good compliance history by offering a reduced permitting burden.

- (d) Incorporate by reference.
- (e) Permit application supplemental information, not directly related to emissions, should not become permit requirements.

3. Permit Process:

- (a) Redefine what an insignificant source in NJ Title V program is.
- (b) Hold on-site pre/post application meetings.
- (c) Offer Plant-wide Applicability Limits (PAL).
- (d) Develop General Operating Permits (GOP). Otherwise make equipment that is currently eligible for general permits, insignificant Title V sources.
- (e) Finalize the temporary equipment effort.
- (f) Shorten the processing time for permit approval. Refocus the permit review effort.
- (g) The Department should be more accurate in classifying significant modifications.
- (h) Classify more minor modifications, insignificant modifications.
- (i) Minimize the number of appeals.
- (j) Working procedures should be developed for seven day notices and administrative amendments to provide flexibility to permit holders.

4. Fees:

- (a) Air Quality Permitting Program Permit needs to be openly reviewed and made more efficient.
- (b) Once an appropriate program level has been identified through (a) above, an appropriate funding mechanism should be developed.

5. Better Technology:

- (a) Air Permitting should adopt a policy of ratcheting down emissions similar to the water program.

- (b) The Department should clarify the process for requiring state of the art control technology for new and modified equipment.

6. Renewal of Minor Permits:

- (a) Minor source permit renewals should be screened; selected minor source renewals should receive a detailed review and enforcement inspection.

7. Stack Testing:

- (a) No comments

8. Cost Effectiveness:

- (a) The Department should establish cost effectiveness thresholds for RACT and SOTA.
- (b) Health costs should be included in any effectiveness analysis.